

AK

Notice of Allowability

Application No.

10/814,255

Examiner

Douglas N. Washburn

Applicant(s)

TUFF ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6 December 2005.
2. ☒ The allowed claim(s) is/are 1-35, 40-63 and 65-97.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>6 December 2005</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|--|

DETAILED ACTION
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr Tony Orsi on 23 January 2006.

The application has been amended as follows:

Claims 36-39 are cancelled.

Response to Amendment

1 Applicant amendment overcomes §102(b) rejection of claims 1, 10, 12, 15, 18, 40, 48, 62, 63 and 72 and the rejection is withdrawn.

Applicant amendment overcomes objection to claims 2-9, 11, 13, 16, 17, 19, 20, 41-47, 49, 50, 64-71 and 73 and the objection is withdrawn.

Allowable Subject Matter

2 Claims 1-35, 40-63 and 65-97 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1 recites, in part, "a processing unit connected to the sensor unit for receiving the consumption detection signal and generating an information signal, the processing unit including a tracking unit for tracking the cyclical property of the indication and for generating a sleep period (emphasis added), the processing unit generates a sensor enable signal to enable the sensor unit for only a portion of the cyclical property of the indication, the portion coinciding with a time interval indicating the completion of one period of the cyclical property, the time interval being shorter than the period of the cyclical property otherwise the sensor unit being disabled during the sleep period". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 2-20 and 86-89 depend from claim 1.

Claim 21 recites, in part, "a processing unit connected to the sensor unit for receiving the consumption detection signal and generating an information signal, the processing unit including a prediction unit for generating values for prediction model parameters for predicting data in the consumption detection signal and incorporating the values of the prediction model parameters into the information signal". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 22-35 depend from claim 21.

Claim 40 recites, in part, "a processing unit connected to the sensor unit for receiving the consumption detection signal and generating an information signal, the processing unit including a tracking unit for tracking the cyclical property of the indication and for generating a sleep period (emphasis added), the processing unit generates a sensor enable signal to enable the sensor unit for only a portion of the cyclical property of the indication, the portion coinciding with a time interval indicating the completion of one period of the cyclical property, the time interval being shorter than the period of the cyclical property, otherwise the sensor unit being disabled during the sleep period". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 41-50 and 90-93 depend from claim 40.

Claim 51 recites, in part, "a processing unit connected to the sensor unit for receiving the consumption detection signal and generating an information signal, the processing unit including a prediction unit for generating values for prediction model parameters for predicting power consumption data derived from the consumption detection signal and incorporating the values of the prediction model parameters into the information signal". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 52-61 depend from claim 51.

Art Unit: 2863

Claim 62 recites, in part, “(b) tracking the cyclical property of the indication for generating a sleep period; (c) generating an information signal based on data from the consumption detection signal; and (d) generating a sensor enable signal to enable the sensor unit for only a portion of the cyclical property of the indication, the portion coinciding with a time interval indicating the completion of one period of the cyclical property, the time interval being shorter than the period of the cyclical property, otherwise disabling the sensor unit during the sleep period (emphasis added).”. This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 63-73 and 94-97 depend from claim 62.

Claim 74 recites, in part, “generating an information signal based on data from the consumption detection signal by generating values for prediction model parameters to predict power consumption data derived from the consumption detection signal and including the values of the prediction model parameters in the information signal”. This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 75-85 depend from claim 74.

It is these limitations, which are not found, taught or suggested in the prior art of record, and are recited in the claimed combination that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

3 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N. Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DNW


John Barlow
Supervisory Patent Examiner
Technology Center 2800